

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 01, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

HECTOR AHUMADA PEREZ,

Plaintiff,

v.

ERIC CROSELY AND CODY
MUMAW,

Defendants.

NO: 2:22-CV-00204-RMP

ORDER DENYING LEAVE TO
PROCEED *IN FORMA PAUPERIS*
AND DISMISSING ACTION

By Order filed October 27, 2022, the Court directed Plaintiff Hector Ahumada Perez, a detainee at the Northwest ICE Processing Center in Tacoma, Washington, to clarify his prisoner status, i.e., whether he is a “prisoner” facing criminal charges or serving a sentence, for purposes of the Prison Litigation Reform Act (“PLRA”). *See* 28 U.S.C. § 1915(h).

The Court cautioned Plaintiff that if he did not comply with that directive, the Court would deny him leave to proceed *in forma pauperis* and dismiss this action if he did not pay the full filing fee. ECF No. 5 at 2. Plaintiff has done neither. Instead,

ORDER DENYING LEAVE TO PROCEED *IN FORMA PAUPERIS*
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1 Plaintiff submitted hundreds of pages of medical records, many of which are
2 duplicates, regarding treatment he has received at the ICE detention facility in
3 Tacoma, Washington.

4 Having failed to comply with the Court's directive, **IT IS ORDERED** that
5 Plaintiff's application to proceed *in forma pauperis*, **ECF No. 3**, is **DENIED** and
6 this action is **DISMISSED** for failure to pay the filing fee under 28 U.S.C. § 1914.

7 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
8 Order, enter judgment, forward copies to Plaintiff at his last known address and close
9 the file. The Court certifies that any appeal of this dismissal would not be taken in
10 good faith.

11 **DATED** December 1, 2022.

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13 *s/ Rosanna Malouf Peterson*
14 ROSANNA MALOUF PETERSON
15 Senior United States District Judge
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